

FILED

CLERK, U.S. DISTRICT COURT

04/19/2023

CENTRAL DISTRICT OF CALIFORNIA

BY: _____ DVE _____ DEPUTY

UNITED STATES DISTRICT COURT
FOR THE CENTRAL DISTRICT OF CALIFORNIA
SOUTHERN DIVISION

March 2023 Grand Jury

UNITED STATES OF AMERICA,

Plaintiff,

v.

SILVIU-FLORIN SPIRIDON,
aka "Milan Rasek,"
aka "Teofil Nowicki,"
ILIE-SEBASTIAN-LAUR VASILESCU,
aka "Fabian Majewski,"
BIRDAL OSMAN,
aka "Ludwik Jasinski,"
IONUT DRAGOS MUNTEANU,
aka "Nicolay Kalinowski,"
BOGDAN ADRIAN PURGARIU,
aka "Simon Bertak,"
aka "Stephen Sawicki,"
CLAUDIU MEZINU, and
FNU LNU,
aka "Walerian Grabowski,"

Defendants.

No. 8:23-cr-00045-DOC

I N D I C T M E N T

[18 U.S.C. § 1344(2): Bank Fraud;
18 U.S.C. § 1028A(a)(1):
Aggravated Identity Theft; 18
U.S.C. § 982: Criminal Forfeiture]

(UNDER SEAL)

1 The Grand Jury charges:

2 COUNTS ONE THROUGH THIRTY-FOUR

3 [18 U.S.C. § 1344(2)]

4 [ALL DEFENDANTS]

5 A. INTRODUCTORY ALLEGATIONS

6 At times relevant to this Indictment:

7 1. The United States Department of Health and Human Services'
8 Temporary Assistance for Needy Families ("TANF") program was a
9 federal assistance program providing cash assistance to low-income
10 American families. Although the TANF program was federally funded,
11 the TANF program was implemented and administered by individual
12 states. In California, the TANF program was referred to as the
13 California Work Opportunities and Responsibility to Kids ("CalWORKs")
14 program. If a person was eligible for CalWORKs benefits, the person
15 would receive benefits on an Electronic Benefits Transfer ("EBT")
16 card, which worked like a debit card. Benefits were automatically
17 loaded into the person's CalWORKs account each month, and the person
18 could use the EBT card to make purchases at authorized retailers or
19 withdraw cash from their account at bank Automated Teller Machines
20 ("ATMs").

21 2. Bank of America, N.A., Citibank, N.A., FirstBank, Union
22 Bank, N.A., Wells Fargo Bank, N.A., U.S. Bank, and SchoolsFirst
23 Federal Credit Union (together, the "Banks") were federally-insured
24 financial institutions.

25 3. A "skimming device" was a device, often small in size, with
26 the capability to record, store, and, when equipped with a
27 transmitting device such as Bluetooth functionality, transmit data.
28 Some skimming devices could be installed inside standalone point-of-

1 sale terminals, such as a gas station pump, ATM, or any other machine
2 that accepted access device cards as payment, out of the view of
3 customers, and were designed to intercept data from access devices
4 that were swiped. The information recovered from or transmitted by a
5 skimming device could then be used, alone or in conjunction with
6 another access device, to incur charges or withdraw funds from a
7 victim's bank or credit card account without the victim's consent,
8 knowledge, or authorization.

9 4. A "pinhole camera" was a small camera that could be
10 attached to standalone point-of-sale terminals, such as a gas station
11 pump, ATM, or any other machine that accepted access device cards as
12 payment, out of the view of customers, to record customers entering
13 their personal identification numbers ("PINs") on the machine PIN
14 pad. These recordings could be used to determine the PINs for
15 customers whose information was collected by a skimming device
16 installed on the same machine.

17 B. THE FRAUDULENT SCHEME

18 5. Beginning on a date unknown to the Grand Jury, but no later
19 than November 1, 2021, and continuing through at least on or about
20 October 3, 2022, in Orange and Los Angeles Counties, within the
21 Central District of California, and elsewhere, defendants SILVIU-
22 FLORIN SPIRIDON, also known as ("aka") "Milan Rasek," aka "Teofil
23 Nowicki," ILIE-SEBASTIAN-LAUR VASILESCU, aka "Fabian Majewski,"
24 BIRDAL OSMAN, aka "Ludwik Jasinski," IONUT DRAGOS MUNTEANU, aka
25 "Nicolay Kalinowski," BOGDAN ADRIAN PURGARIU, aka "Simon Bertak," aka
26 "Stephen Sawicki," CLAUDIU MEZINU, and FNU LNU, aka "Walerian
27 Grabowski," knowingly and with intent to defraud, devised,
28 participated in, and executed a scheme to obtain moneys, funds,

1 assets, and other property owned by and in the custody and control of
2 the Banks by means of false and fraudulent pretenses,
3 representations, and promises, and the concealment of material facts.

4 6. The fraudulent scheme operated, in substance, as follows:

5 a. Defendants MUNTEANU and MEZINU and co-schemers made
6 and installed skimming devices on various point of sale terminals in
7 California.

8 b. Unknown defendants and co-schemers re-encoded access
9 device cards with CalWORKs EBT account information that had been
10 captured by skimming devices that were previously installed on
11 various point of sale terminals in California.

12 c. Defendants SPIRIDON, VASILESCU, OSMAN, MUNTEANU,
13 PURGARIU, MEZINU, and FNU LNU used those re-encoded prepaid credit
14 cards or gift cards at various Bank ATMs throughout the Central
15 District of California to fraudulently request disbursement of cash
16 funds from victim EBT accounts. In doing so, the defendants falsely
17 represented that they were the EBT account holders and were otherwise
18 authorized users of the EBT cards, and concealed that the withdrawals
19 defendants made with the re-encoded EBT cards were made without the
20 authorized user's consent. The cash that defendants SPIRIDON,
21 VASILESCU, OSMAN, MUNTEANU, PURGARIU, MEZINU, and FNU LNU obtained
22 constituted moneys and funds owned by and under the custody and
23 control of the Banks.

24 d. Defendants SPIRIDON, VASILESCU, MUNTENEANU, and
25 MEZINU, and others known and unknown to the Grand Jury, maintained a
26 residence in Irvine, California, and a storage unit in Santa Ana,
27 California, where they stored, among other things, skimming devices,
28 pinhole cameras, tools commonly used to build skimming devices,

approximately \$30,000 in cash proceeds derived from the fraudulent scheme, and other equipment used to carry out the fraudulent scheme.

7. Over the course of the scheme, defendants SPIRIDON, VASILESCU, OSMAN, MUNTEANU, PURGARIU, MEZINU, and FNU LNU fraudulently requested disbursement of funds from Bank ATMs in the amount of at least \$220,615 in CalWORKs EBT funds more than 300 victim EBT accounts using ATMs belonging to the Banks. Defendants successfully obtained at least \$171,230 in Bank funds from victim EBT accounts.

C. EXECUTION OF THE FRAUDULENT SCHEME

8. On or about the following dates, in Orange and Los Angeles Counties, within the Central District of California, defendants SPIRIDON, VASILESCU, OSMAN, MUNTEANU, PURGARIU, MEZINU, and FNU LNU committed the following acts, each of which constituted an execution of the fraudulent scheme:

COUNT	DEFENDANT	DATE	ACT
ONE	MUNTEANU	11/1/21	Use of cards that had been fraudulently re-encoded with EBT account information for at least ten different victims to fraudulently request disbursement of funds in the amount of at least \$7,680 from victim EBT accounts using a Bank of America ATM in Alhambra, California
TWO	SPIRIDON	11/1/21	Use of cards that had been fraudulently re-encoded with EBT account information for at least eight victims to fraudulently request disbursement of funds in the amount of at least \$7,670 from victim EBT accounts using a Bank of America ATM in Garden Grove, California

COUNT	DEFENDANT	DATE	ACT
THREE	SPIRIDON	11/1/21	Use of cards that had been fraudulently re-encoded with EBT account information for at least ten victims to fraudulently request disbursement of funds in the amount of at least \$2,420 from victim EBT accounts using a Wells Fargo ATM in Garden Grove, California
FOUR	FNU LNU	11/1/21	Use of cards that had been fraudulently re-encoded with EBT account information for at least two victims to fraudulently request disbursement of funds in the amount of at least \$540 from victim EBT accounts using a Citibank ATM in Tustin, California
FIVE	FNU LNU	11/2/21	Use of cards that had been fraudulently re-encoded with EBT account information for at least 25 victims to fraudulently request disbursement of funds in the amount of at least \$14,100 from victim EBT accounts using a Citibank ATM in Huntington Beach, California
SIX	PURGARIU	11/2/21	Use of cards that had been fraudulently re-encoded with EBT account information for at least 21 victims to fraudulently request disbursement of funds in the amount of at least \$12,860 from victim EBT accounts in Huntington Beach, California
SEVEN	FNU LNU	11/2/21	Use of cards that had been fraudulently re-encoded with EBT account information for at least three victims to fraudulently request disbursement of funds in the amount of at least \$2,720 from victim EBT accounts using a Bank of America ATM in Garden Grove, California

COUNT	DEFENDANT	DATE	ACT
EIGHT	PURGARIU	11/2/21	Use of cards that had been fraudulently re-encoded with EBT account information for at least nine victims, including victim M.M., to fraudulently request disbursement of funds in the amount of at least \$8,580 from victim EBT accounts using a Bank of America ATM in Garden Grove, California
NINE	MUNTEANU	11/2/21	Use of cards that had been fraudulently re-encoded with EBT account information for at least 14 victims to fraudulently request disbursement of funds in the amount of at least \$7,760 from victim EBT accounts using a Bank of America ATM in Alhambra, California
TEN	VASILESCU	11/2/21	Use of cards that had been fraudulently re-encoded with EBT account information for at least six victims, including victim F.S., to fraudulently request disbursement of funds in the amount of at least \$3,620 from victim EBT accounts using a FirstBank ATM in Irvine, California
ELEVEN	VASILESCU	11/2/21	Use of cards that had been fraudulently re-encoded with EBT account information for at least four victims to fraudulently request disbursement of funds in the amount of at least \$3,320 from victim EBT accounts using a FirstBank ATM in Irvine, California
TWELVE	VASILESCU	11/3/21	Use of cards that had been fraudulently re-encoded with EBT account information for at least eight victims to fraudulently request disbursement of funds in the amount of at least \$5,300 from victim EBT accounts using a FirstBank ATM in Fullerton, California

COUNT	DEFENDANT	DATE	ACT
THIRTEEN	SPIRIDON	11/3/21	Use of cards that had been fraudulently re-encoded with EBT account information for at least five victims to fraudulently request disbursement of funds in the amount of at least \$3,065 from victim EBT accounts using a FirstBank ATM in Fullerton, California
FOURTEEN	VASILESCU	11/3/21	Use of cards that had been fraudulently re-encoded with EBT account information for at least two victims to fraudulently request disbursement of funds in the amount of at least \$1,060 from victim EBT accounts using a Union Bank ATM in Fullerton, California
FIFTEEN	SPIRIDON	11/3/21	Use of a card that had been fraudulently re-encoded with EBT account information for at least two victims to fraudulently request disbursement of funds in the amount of at least \$290 from the victim's EBT account using a Union Bank ATM in Fullerton, California
SIXTEEN	SPIRIDON	11/3/21	Use of cards that had been fraudulently re-encoded with EBT account information for at least fifteen victims, including victim J.P.H., to fraudulently request disbursement of funds in the amount of at least \$9,920 from victim EBT accounts using a Union Bank ATM in Brea, California
SEVENTEEN	OSMAN	12/2/21	Use of cards that had been fraudulently re-encoded with EBT account information for at least nine victims to fraudulently request disbursement of funds in the amount of at least \$8,420 from victim EBT accounts using a Bank of America ATM in Huntington Beach, California

COUNT	DEFENDANT	DATE	ACT
EIGHTEEN	OSMAN	12/3/21	Use of cards that had been fraudulently re-encoded with EBT account information for at least 16 victims to fraudulently request disbursement of funds in the amount of at least \$13,940 from victim EBT accounts using a Bank of America ATM in Huntington Beach, California
NINETEEN	MUNTEANU	1/1/22	Use of cards that had been fraudulently re-encoded with EBT account information for at least four victims to fraudulently request disbursement of funds in the amount of at least \$480 from victim EBT accounts using a Bank of America ATM in Culver City, California
TWENTY	MUNTEANU	1/2/22	Use of cards that had been fraudulently re-encoded with EBT account information for at least eight victims, including victim B.G., to fraudulently request disbursement of funds in the amount of at least \$6,750 from victim EBT accounts using a Bank of America ATM in Los Angeles, California
TWENTY-ONE	OSMAN	1/2/22	Use of cards that had been fraudulently re-encoded with EBT account information for at least 23 victims to fraudulently request disbursement of funds in the amount of at least \$16,200 from victim EBT accounts using a Bank of America ATM in Santa Ana, California
TWENTY-TWO	VASILESCU	1/3/22	Use of cards that had been fraudulently re-encoded with EBT account information for at least 11 victims to fraudulently request disbursement of funds in the amount of at least \$6,950 from victim EBT accounts using a Bank of America ATM in Culver City, California

COUNT	DEFENDANT	DATE	ACT
TWENTY-THREE	OSMAN	2/1/22	Use of cards that had been fraudulently re-encoded with EBT account information for at least 11 victims, including victim M.V., to fraudulently request disbursement of funds in the amount of at least \$2,920 from victim EBT accounts using a Bank of America ATM in Santa Ana, California
TWENTY-FOUR	OSMAN	3/2/22	Use of cards that had been fraudulently re-encoded with EBT account information for at least nine victims to fraudulently request disbursement of funds in the amount of at least \$8,810 from victim EBT accounts using a Bank of America ATM in Irvine, California
TWENTY-FIVE	MEZINU	5/3/22	Use of cards that had been fraudulently re-encoded with EBT account information for at least ten victims to fraudulently request disbursement of funds in the amount of at least \$5,280 from victim EBT accounts using a Bank of America ATM in Newport Beach, California
TWENTY-SIX	SPIRIDON	6/1/22	Use of cards that had been fraudulently re-encoded with EBT account information for at least ten victims to fraudulently request disbursement of funds in the amount of at least \$3,000 from victim EBT accounts using a U.S. Bank ATM in Irvine, California (Execution)
TWENTY-SEVEN	VASILESCU	6/2/22	Use of cards that had been fraudulently re-encoded with EBT account information for at least 17 victims to fraudulently request disbursement of funds in the amount of at least \$10,540 from victim EBT accounts using a Wells Fargo ATM in Irvine, California

COUNT	DEFENDANT	DATE	ACT
TWENTY-EIGHT	MEZINU	7/1/22	Use of cards that had been fraudulently re-encoded with EBT account information for at least fifteen victims to fraudulently request disbursement of funds in the amount of at least \$11,100 from victim EBT accounts using a Wells Fargo ATM in Irvine, California
TWENTY-NINE	MEZINU	7/2/22	Use of cards that had been fraudulently re-encoded with EBT account information for at least ten victims to fraudulently request disbursement of funds in the amount of at least \$7,560 from victim EBT accounts using a Bank of America ATM in Irvine, California
THIRTY	MEZINU	7/3/22	Use of cards that had been fraudulently re-encoded with EBT account information for at least seven victims to fraudulently request disbursement of funds in the amount of at least \$5,040 from victim EBT accounts using a Bank of America ATM in Irvine, California
THIRTY-ONE	MEZINU	8/1/22	Use of cards that had been fraudulently re-encoded with EBT account information for at least five victims to fraudulently request disbursement of funds in the amount of at least \$2,730 from victim EBT accounts using a Bank of America ATM in Irvine, California
THIRTY-TWO	MEZINU	8/2/22	Use of cards that had been fraudulently re-encoded with EBT account information for at least five victims to fraudulently request disbursement of funds in the amount of at least \$4,070 from victim EBT accounts using a Bank of America ATM in Irvine, California
THIRTY-THREE	MEZINU	8/3/22	Use of cards that had been fraudulently re-encoded with EBT account information for at least

COUNT	DEFENDANT	DATE	ACT
			eight victims to fraudulently request disbursement of funds in the amount of at least \$3,510 from victim EBT accounts using a Bank of America ATM in Irvine, California
THIRTY-FOUR	MEZINU	9/2/22	Use of cards that had been fraudulently re-encoded with EBT account information for at least six victims to fraudulently request disbursement of funds in the amount of at least \$5,590 from victim EBT accounts using a Bank of America ATM in Irvine, California

COUNT THIRTY-FIVE

[18 U.S.C. § 1028A(a)(1)]

[DEFENDANT FNU LNU]

On or about November 2, 2021, in Orange County, within the Central District of California, defendant FNU LNU, also known as "Walerian Grabowski," knowingly transferred, possessed, and used, without lawful authority, a means of identification that defendant FNU LNU knew belonged to another person, namely, the EBT account number and PIN belonging to D.A., during and in relation to the offense of Bank Fraud, a felony violation of Title 18, United States Code, Section 1344(2), as charged in Count Five of this Indictment.

COUNT THIRTY-SIX

[18 U.S.C. § 1028A(a)(1)]

[DEFENDANT PURGARIU]

On or about November 2, 2021, in Orange County, within the Central District of California, defendant BOGDAN ADRIAN PURGARIU, also known as "Simon Bertak," aka "Stephen Sawicki," knowingly transferred, possessed, and used, without lawful authority, a means of identification that defendant PURGARIU knew belonged to another person, namely, the EBT account number and PIN belonging to M.M., during and in relation to the offense of Bank Fraud, a felony violation of Title 18, United States Code, Section 1344(2), as charged in Count Six of this Indictment.

COUNT THIRTY-SEVEN

[18 U.S.C. § 1028A(a)(1)]

[DEFENDANT VASILESCU]

On or about November 2, 2021, in Orange County, within the Central District of California, defendant ILIE-SEBASTIAN-LAUR VASILESCU, also known as "Fabian Majewski," knowingly transferred, possessed, and used, without lawful authority, a means of identification that defendant VASILESCU knew belonged to another person, namely, the EBT account number and PIN belonging to F.S., during and in relation to the offense of Bank Fraud, a felony violation of Title 18, United States Code, Section 1344(2), as charged in Count Ten of this Indictment.

COUNT THIRTY-EIGHT

[18 U.S.C. § 1028A(a)(1)]

[DEFENDANT SPIRIDON]

On or about November 3, 2021, in Orange County, within the Central District of California, defendants SILVIU-FLORIN SPIRIDON, also known as ("aka") "Milan Rasek," aka "Teofil Nowicki," knowingly transferred, possessed, and used, without lawful authority, a means of identification that defendant SPIRIDON knew belonged to another person, namely, the EBT account number and PIN belonging to J.P.H., during and in relation to the offense of Bank Fraud, a felony violation of Title 18, United States Code, Section 1344(2), as charged in Count Sixteen of this Indictment.

COUNT THIRTY-NINE

[18 U.S.C. § 1028A(a)(1)]

[DEFENDANT MUNTEANU]

On or about January 2, 2022, in Orange County, within the Central District of California, defendant IONUT DRAGOS MUNTEANU, also known as "Nicolay Kalinowski," knowingly transferred, possessed, and used, without lawful authority, a means of identification that defendant MUNTEANU knew belonged to another person, namely, the EBT account number and PIN belonging to B.G., during and in relation to the offense of Bank Fraud, a felony violation of Title 18, United States Code, Section 1344(2), as charged in Count Twenty of this Indictment.

COUNT FORTY

[18 U.S.C. § 1028A(a)(1)]

[DEFENDANT OSMAN]

On or about February 1, 2022, in Orange County, within the Central District of California, defendant BIRDAL OSMAN, also known as "Ludwik Jasinski," knowingly transferred, possessed, and used, without lawful authority, a means of identification that defendant OSMAN knew belonged to another person, namely, the EBT account number and PIN belonging to M.V., during and in relation to the offense of Bank Fraud, a felony violation of Title 18, United States Code, Section 1344(2), as charged in Count Twenty-Three of this Indictment.

COUNT FORTY-ONE

[18 U.S.C. § 1028A(a)(1)]

[DEFENDANT MEZINU]

On or about July 1, 2022, in Orange County, within the Central District of California, defendant CLAUDIU MEZINU knowingly transferred, possessed, and used, without lawful authority, means of identification that defendant MEZINU knew belonged to another person, namely, the EBT account number and PIN belonging to M.A., during and in relation to the offenses of Bank Fraud, a felony violation of Title 18, United States Code, Section 1344(2), as charged in Count Twenty-Eight of this Indictment.

FORFEITURE ALLEGATION

[18 U.S.C. § 982]

1. Pursuant to Rule 32.2(a) of the Federal Rules of Criminal Procedure, notice is hereby given that the United States of America will seek forfeiture as part of any sentence, pursuant to Title 18, United States Code, Section 982(a)(2), in the event of defendants' conviction of the offenses set forth in any of Counts One through Forty-One of this Indictment.

2. Defendants, if so convicted, shall forfeit to the United States of America the following:

(a) All right, title and interest in any and all property, real or personal, constituting, or derived from, any proceeds obtained, directly or indirectly, as a result of the offense; and

(b) To the extent such property is not available for forfeiture, a sum of money equal to the total value of the property described in subparagraph (a).

3. Pursuant to Title 21, United States Code, Section 853(p), as incorporated by Title 18, United States Code, Section 982(b), defendant, if so convicted, shall forfeit substitute property, up to the total value of the property described in the preceding paragraph if, as the result of any act or omission of said defendant, the property described in the preceding paragraph, or any portion thereof: (a) cannot be located upon the exercise of due diligence; (b) has been transferred, sold to or deposited with a third party; (c) has been placed beyond the jurisdiction of the court; (d) has

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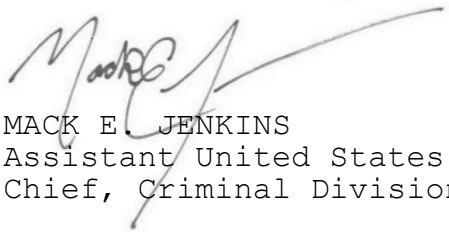
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1 been substantially diminished in value; or (e) has been commingled
2 with other property that cannot be divided without difficulty.

3
4 A TRUE BILL

5
6 /s/
7 Foreperson

8
9 E. MARTIN ESTRADA
United States Attorney

10
11 
12 MACK E. JENKINS
Assistant United States Attorney
13 Chief, Criminal Division

14 BENJAMIN R. BARRON
Assistant United States Attorney
15 Chief, Santa Ana Branch Office

16 BRADLEY E. MARRETT
Assistant United States Attorney
17 Deputy Chief, Santa Ana Branch
Office

18 KRISTIN N. SPENCER
Assistant United States Attorney
19 Santa Ana Branch Office
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